

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CLIVE B. HILGERT,

Plaintiff,

vs.

CHRISTINE VANDERFORD, et al;

Defendant.

8:17CV115

**MEMORANDUM
AND ORDER**

This matter is before the court on Plaintiff's "Motion to Amend or Alter Judgment" pursuant to [Federal Rule of Civil Procedure 59\(e\)](#). ([Filing No. 13](#).)

A motion to alter or amend a judgment under Rule 59(e) of the Federal Rules of Civil Procedure serves "the limited function of correcting manifest errors of law or fact or to present newly discovered evidence." *Holder v. United States*, [721 F.3d 979, 986 \(8th Cir. 2013\)](#) (internal quotation marks omitted). A Rule 59(e) motion "cannot be used to introduce new evidence, tender new legal theories, or raise arguments which could have been offered or raised prior to entry of judgment." *Id.* Plaintiff has not demonstrated that any manifest errors of law or fact exist and he has not presented newly discovered evidence.

IT IS THEREFORE ORDERED that: Plaintiff's "Motion to Amend or Alter Judgment" ([Filing No. 13](#)) is denied.

Dated this 5th day of July, 2017.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge